RESPONSE TO ADVISORY ACTION FOR PATENT
APPLICATION 09/945 467 MAILED 8/27/03 FROM P.O.

Amendments to Amended Claim 17

(See Changes Marked in Complete Set of Claims Attached)

Rejected for New Matter:

"template worksheet" in line 14
"Template Forms" in line 23

Response:

"template" has been deleted from line 14, and line 23
"template forms" has been deleted

"worksheet" is found in original claim, Page 31, claim 10, line 6

Rejected for New Matter:

"Exclusive rights in the use of the forms (....) line 22-24

Response:

This has been deleted from line 22-24

Rejection for New Matter:

"compatible with retained legacy system" line 28

Response:

This has been deleted in lines 28-29

RESPONSE TO ADVISORY ACTION FOR PATENT
APPLICATION 09/945 467 MAILED 8/27/03 FROM P.O.

Amendments to Amended Claim 19

(See changes marked in complete set of claims attached)

Rejected for New matter, indefiniteness and lack of antecedent basis:

"The finder", in line 3 and "the dot", in line 4

Response:

Page 7 , lines 1-12 of the original application describes the function of the requirer and the responsibility of each participant in the successive steps of the system to click the cursor in the circle shown in the order, for the next action, showing a dot in the circle, which moves it to the next step. If any one of the participants can't comply with the order or doesn't understand it, he will delete the dot in the circle which directed the action to him, and also the dot in the circle which preceded his own circle, thereby producing an Action Change Request form.

In amendment Claim 19, this participant seeking a change is identified as the "finder" referring to the finder of the changes necessary, and introduced with changes to make it more "clearly understandable" and "implied". under 35 U.S.C. 132.

Use of the circle and dot is described in Page 7, lines 1-10 and are clearly distinguished in the three choices of order forms, pages 13, 17, and 19, marked, "To Next Action".

Rejection for New Matter:

"template form", line 7

Response:

"template" has been deleted in Claim 19, line 7
"form" is referred to in the original application, page 7. ;line 8

Rejection for Indefiniteness

"What does "which" refer to? Line 3

Response:

"which" has been replaced, with clearer definition in Claim 19, (see page 7, lines 6-12 of application.)

RESONSE TO ADVISORY ACTION FOR PATENT
APPLICATION 09/945,467 MAILED 8/27/03 FROM P.O.

Amendments to Amended Claim 21.

(See changes marked in complete set of claims attached)

Rejected for Lack of Antecedents:

"auditing function", line 4

Response:

Replaced with more complete definition of auditor's function. (see pages 27,28, Section E of original application

RESONSE TO ADVISORY ACTION FOR PATENT
APPLICATION 09/945,467 MAILED 8/27/03 FROM P.O.

Amendments to Amended Claim 29.

(See changes marked in complete set of claims attached)

Rejected for Newness:

"template form" in line 2

Response:

"template" has been deleted

"form identified in original application, page 8, lines 41 and 43.

Rejection for Newness:

"purchase menu", lines 2 and 3

"purchase key", lines 2 and 3

Response:

Applicant requests acceptance of claim in present form, for following reasons: (with modifications responding to Examiner's other rejections included here)

The inclusion of Purchase Menu, and its accompanying Purchase Key are extensions of descriptions found in the original Summary of the Invention, (page 6, line 15, and page 8, line 17, as implied, and provides additional clarification. of its purpose.

Use of windows in the system (page 6, line 15) implies existence of a menu and a key to access information for the Purchase Document and Purchase Worksheet (page 8, lines 19-22)

Such a menu and key should only be patentable as referenced to its special contents, and the nature of the One Page System is sufficiently different in content to recognize it for inclusion in the application and claim.

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Amendments to Amended Claim 29 (cont.)
(See changes marked in complete set of claims attached)

Rejected for Subject Matter:

Needs clarification of "etc" in line 6

Response:

"etc" has been replaced by a phrase in Claim 29 for a Purchase Menu beginning in line 3 of claim 29 "a choice of 31 information and action links available for selection, such as company purchasing policies, procedures, worksheet order, for, vendor and product sources, orders outstanding, previous orders and accounts to be charged, " thereby (....

.Original Application, page 6, line 15 describes a Purchase Resources program available by using computer windows which requires a purchase menu to be operated, and lists of its contents are shown on a flow chart "One Page Purchasing System, page 10 and contained in pages 26 and 27 of the Application.

Rejection for Subject Matter:

Needs clarification of "major sources from purchasing department

Response:

"with the major sources for these data" is replaced by "with 75% or more of the"(...) data,

Page 8, lines 20-24 of the Application describes working relationships of the order originator with the purchasing department.

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RESPONSE TO REJECTION FOR OBVIOUSNESS

The Examiner has found cause for rejection to pending Claims 17-30 amended 2/06/03, based on obviousness from prior art. In such an examination for prior art, one must keep in mind the ultimate purpose of fairly and objectively searching for evidence or lack of evidence of differences from the claimed invention, which is abstracted here.

The system is designed to cover about 30 steps of purchasing for the buying company, using a single document which moves electronically through these steps to accomplish the necessary action, in a tracked system. This is done without human intervention except for preparation of the document, acknowledging receipt of the merchandise, and having spot security and audit checks of its performance. An electronic program extends the system to deposit the payment due, into the bank account of the vendor. Electronic signatures and/or the invoice number assigned and inserted in the document by the vendor, are required to prove completion of each key step in the process. Control is shifted to the buyer paying from the one page document, and not from vendors' invoices and statements which normally require verification. Benefits result from the elimination of conventional purchase requisitions, purchase orders, shipping documents, vendors invoices, vendors statements, and payment checks. This reduces errors, processing delays, employees' time and materials used, - and provides very substantial dollar savings for the purchaser, vendor and bank.

Under 35 U.S.C. 102 and 103 the Examiner must produce a prima facie case of obviousness based on factual inquiries outlined in Graham v. John Deere as: (1) Determining the scope and content of the prior art: (2) Ascertaining the differences between the prior art and the claims in issue: (3) Resolving the level of ordinary skill in the pertinent art; and (4) Evaluating any objective evidence of nonobviousness, or secondary considerations.

Scope and Content of Prior Art:
Absence of sufficient scope and content of the prior art by one source may be replaced by a consortium of several sources, which has been adapted by the Examiner, therefore it is necessary to identify each such source and how this combination results in more than the addition of their single efforts to reach a satisfactory prior art.
A quality of scope and content of prior art necessary to be found by the Examiner is predicated on the scope and content of the Applicant's system, which can be identified as a total

12

purchasing system, embracing participation by the purchaser, vendor and the bank. Prior Art can be identified by only six of the 38 total purchasing functions fully served by the One Page Purchasing System, and a few of the One Page profitable benefits in eliminating forms and verifications, listed in the attached.

Millions of patents are available from which to make a selection to find such prior art. In the apparent lack of a single patent to satisfactorily serve the obviousness claim, a choice of seven patents was made, ranging from 1988-97 in dates of filing. The acknowledged intent of the Examiner was to merge their combined prior art resources in order to find sufficient prior art to discredit the Applicants claims. These seven patents are described here for scope and content to measure their use as prior art for this purpose, keeping in mind the basic concepts of the applicant's One Page system, replacing seven purchasing forms, eliminating eight points of usual verification, serving 38 different purchasing functions and achieving savings at each point

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Inventor Charles Wiecha, Patent No. 5 870,717, Filed 1995, titled, "System for Ordering Items Over Computer Network, Using an Electronic Catalog"
Consists of a system for a servicing organization to act for buyers and vendors, assisting in the process by supplying catalogs to be shown on the Internet, and arranging for orders to be prepared, through use of a purchase order.

Inventor Eric A. Thomson, Patent No. 5,121,945, Filed 1990, titled, "Financial Data Processing Systems"
Providing the vendor/seller a two part invoice form to send a purchaser of vendor's products, with one part made a tailored blank check for the amount due, to be signed and returned to the vendor, or the vendor's bank.

Inventor Stanley M. Josephson, Patent No. 4,974,878, filed 1988, titled, "Financial Data Processing System.
Providing the seller an installment payment book to give an installment purchaser for monthly payments, with a coupon attached authorizing an automatic monthly withdrawal from the debtor's bank account, to be mailed back to the creditor or the creditor's bank.

CONVENTIONAL PURCHASING FUNCTIONS

OBVIOUSNESS ✓

For each item (s) ordered:

1. Introduce purchasing polici s and procedures including security and scheduling controls.
2. Establish ne d
3. Meet company objectives
4. Assure money available
5. Secure preliminary approval
6. Determine:
   a. Right item
   b. Right Quantity
   c. Right quality
   d. Right price
   e. Right timing
   f. Right warranties
   g. Right credit terms
   h. Right source.
7. Prepare purchase requisition
8. Secure final approval
9. Prepare purchase order
10. Send purchase order to vendor
11. Vendor prepares processing documents
12. Vendor prepares and sends confirmation
13. Purchaser receives confirmation and compares to purchase order
14. Purchaser sets up follow up date
15. Vendor prepares shipping document
16. Vendor sends item with shipping document
17. Purchaser receives item and shipping document
18. Purchaser compares item with shipping document
19. Purchaser receiving department sends item to user
20. User checks item to purchase order
21. User approves purchase for payment
22. Vendor prepares and sends invoice
23. Purchaser compares invoice to purchase order
24. Purchaser checks invoice calculations
25. Purchaser sets up accounting entries
26. Vendor prepares and sends monthly statement
27. Purchaser receives statement and compares charges to invoices
28. Purchaser sets up accounting entries for payment
29. Purchaser prepares and sends payment check to vendor
30. Vendor makes accounting entries
31. Vendor's bank receives check for clearing, making entries
32. Purchaser makes necessary disposition of any items replaced
33. Fixed assets are numbered, and listed
34. Depreciation of any fixed assets replaced, is processed.
35. Depreciation is set up for new fixed asset items.
36. Purchase documents are filed
37. Purchase documents are destroyed when scheduled.
38. Audit systems are introduced

Harold F. Hynes

COMPARISON OF PROFITABLE FEATURES OF ONE PAGE PURCHASING SYSTEM WITH PATENTS CITED BY USPO

PURCHASER

	Feature	WEICHA	THOMSON	JOSEPHSON	IVANOV	WALKER	BARNES	JOHNSON
(x)	Eliminates processing small orders through the purchasing department	x						
(x)	Eliminates handling and mailing of purchase orders to the vendor					x	x	x
(x)	Eliminates verifying confirmation of orders to the purchase order							
(x)	Eliminates receipt and handling of vendor's invoice							
(x)	Eliminates the need to compare invoice to the purchase order							
(x)	Eliminates the need to compare items received to the invoice							
(x)	Eliminates the need to compare invoiced prices and additions to the purchase order.							
(x)	Eliminates the receipt and handling of vendor's statement							
(x)	Eliminates comparing the invoices with the statement							
(x)	Eliminates the receipt and handling of packing ticket							
(x)	Eliminates the need to physically follow up on orders pending.							
(x)	Eliminates the need to physically arrange payment to vendor.							
(x)	Eliminates preparation of checks to pay the vendor		x	x		x	x	
(x)	Eliminates sending check to vendor.			x		x	x	
(x)	Eliminates physical preparation of accounting entries.							

VENDORS

	Feature	WEICHA	THOMSON	JOSEPHSON	IVANOV	WALKER	BARNES	JOHNSON
(x)	Electronically uses the Purchase Document to set up their production and shipping requirements.							
(x)	Eliminates need to prepare a confirmation of the order.							
(x)	Eliminates preparation and handling an invoice.							
(x)	Eliminates preparation and handling of a statement							
(x)	Eliminates preparation and handling of a shipping document.							
(x)	Relies on payment schedule agreed upon with purchaser.		x					
(x)	Eliminates receipt and processing of payments.						x	
(x)	Speeds up receipt of payment in bank account.		x	x			x	
(x)	Receives a record of invoices paid from the purchaser.							
(x)	Automatically records sales, billing and payments from purchase documents, shipments, and payments.							

THE BANK

	Feature	WEICHA	THOMSON	JOSEPHSON	IVANOV	WALKER	BARNES	JOHNSON
(x)	Eliminates the need for processing purchaser's checks		x	x		x	x	
(x)	Secures compensating balance for processing payments or fee.							
(x)	Automatically secures funds to maintain balances needed.							
(x)	Has possibility of securing accounts from vendors							

15

Inventor Vladimar Ivanov, Patent No. 5,706,452, filed 1995, titled, "Method and Apparatus for Structuring and Managing the Participatory Evaluation of Documents by a Plurality of Reviewers
Designed to secure independent simultaneous evaluations of any document within a business process, using a set of reviewers sourced from different locations.

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Inventor James M. Johnson, Patent No. 5,712,989, filed 1993, titled, " Electronic Sourcing Systems and Method"
Comprises a system of a service organization assisting purchasers by coordinating the use of at least two vendor's catalogs electronically and assisting in preparation of a purchase order.

Inventor Jay S. Walker, Patent No. 5,794,207, filed 1996, titled, :Method and Apparatus for Cryptographic Assisted Network System Designed to Facilitate Buyer-Driven Conditional Purchaser"
Comprises a service organization to receive binding purchase orders from prospective buyers of specific items and terms, to seek potential sellers, with the "controller" of the transaction withholding identification of the buyer and seller to each other until it is no longer desired, or necessary..

Inventor Robert L. Barnes, Patent No. 5,790,475, filed 1997, titled, "Electronic Procurement System and Method for Trading Partners"
Consists of a service organization providing catalogs and assisting the purchaser and vendor using conventional purchase documents electronically, receiving a transaction fee from purchaser and vendor..

In summary of the above:
One inventor, Ivanov had a system foreign to purchasing.
One inventor, Walker had a system for marketing a buyer's specific needs

Two inventors, Thomson and Josephson have a system to serve the seller by arranging
special forms of payments to seller.

Two inventors, Wiecha and Johnson introduce service organizations to make purchases
through electronic catalogs, and aid in preparing purchase requisitions and
orders

One inventor, Barnes has a service organization to electronically serve both buyer and seller
using catalogs with conventional purchasing documents, charging
transaction fees.

When matched against the 38 purchasing functions and profitable benefits, the scope and
content of these patents fall far short in any span of purchasing functions, collectively showing
almost no composition to benefit a hypothetical representative of prior art, and are limited in
representation by reduced numbers of participants.engaged in significant scopes of
purchasing, thereby finding no prior art commensurate with our comparative needs..

Difference Between Prior Art and Applicant's Claim

Given the above conclusion, it should not be necessary to cite differences. However, this was
accomplished in responses filed May 1, 2003, to the extent that these were in response to
subjects meeting the intended composition of the prior art.

The Examiner's Statement in Continuation of 5, iii, that claim 17 and dependent claims 18-30
were properly addressed in pages 6-17 of the detailed Final Office Action is brought to the
Examiner's attention for further consideration.

The Examiner's supposition that these were addressed,can only be a statement of judgment
and not necessarily one of fact. The following findings of the Applicant would suggest that
further review be given under 35 U.S.C. 103a.

The Examiner's efforts to impose an illusionary image of the Applicant's claim features over
that of a prior art becomes unsupportable when examined for possible obviousness in this
context, as reported in Examiner's Details of Response filed May 1, 2003. For example, Page
7, line 23 of the Detailed Action directly quotes Applicant's claim 17a in saying, "Thomson
teaches a one page electronic purchasing document which collectively replaces individual

paper and electronic purchase requisitions, purchase orders, and vendor's acknowledgements, shipping notices, invoices and statements, and successively serves their identical functions".

The statement gives credit to Thomson for a fact which doesn't exist, as proven in Thomson's patent references cited. Instead, Thomson's Abstract describes a payment remittance system for the seller having an integrated system to combine an invoice and a preprinted bank check for the purchaser to sign and return to the vendor. This can only be categorized as extraneous and unrelated to the applicant's One Page Purchasing System, which doesn't use either of these items.

This practice has been employed throughout the Examiner's descriptions of prior art instead of substantiating the related existing functions which are only cited by page and line and upon study, are not found to be supportable for comparison with Applicant's claims, as found in Applicant's responses, pages 19-83.

Similarly, the combining of Applicant's claims into groups based on the same premise of using illusionary images to justify their obviousness raises the question of validation of the value of these groups per se..

Continuation of 5, iv is critical of the practice of the Applicant arguing each of the references individually and not considering the full teachings of the applied references, and that one cannot show non-obviousness by attacking references individually in the Response After Final Office Action.

Tlhe Applicant finds that any attempt to extend the knowledge and capabilities of individual participants to resolve a working value beyond the value of the individual components must start with an understanding of the value of these individual components

This piecemeal practice was followed to identify with the same piecemeal practice observed by the Examiner, in order to b   consistent and respond item for item. For example, in Final Action dated 5/1/03 page 6, item 11, Examiner covers newly claims 17, 20, 24,27-28, unpatentable over Wiecha, citing Fig, 6, Figure 7   tc. It describes Wiecha teaching and references to

sources in Wiecha's patent. Then it takes up Thomson's teaching, with his individual citations The Examiner follows this piecemeal procedure from pages 6-17

Applicant's response starts on pag 36 d scribing the same five claims, followed by Thomson, etc. then it takes up each cited reference with the Applicant's response to satisfy the non obvious position, ending with page 83, covering each combination of references, as shown in two indexes.

Continuation of 5, v, From the above information and responses to previous rejections, it is not evident that the prior art clearly suggests doing what the Applicant has done, as evidence by the differences established between the prior art cited and the Applicant's claims. The Examiner should note that there is no evidence that the prior art suggests what the Applicant has done What are the components contributing to the prior art which suggest this action?

In continuation of 5v, the Examiner quotes a section of the unpersuasive argument 7.37.07 in the Patent Manual, "the fact that applicant has recognized another advantage which would flow naturally from following the suggestions of the prior art cannot be the basis for patentability when the differences would otherwise be obvious". Ex parte Obiaya

The Examiner fails to identify the Applicant's recognized advantage flowing naturally from following the suggestion of a prior art, as a basis of motivation.. Also, (1) whether it follows the suggestion of a prior art, (2) whether the hypothetical representative of the prior art is capable of recognizing and acting on such advantages, and (3) whether the differences established by the Applicant would otherwise be obvious. The Applicant doesn't recognize these occurrences, and the Examiner does not provide specific support for these presumptions. The Patent Office's definition of ordinary skills in the art confines the representative to the design of the product and not to its benefits. The Examiner's joint presentation of the skills of several individuals with their patents to represent the prior art is found to be unworthy of a one page purchasing system, as referenced, pages 2-17 in Claim Rejections, substantiated by Applicant in his response, and fails to show evidence of capacity to recognize the scope of advantage which might be available from the System. In addition, the Examiner acknowledges

that the representative does not teach why the prior art would have produced a similar one page system. Re Gershon..

Resolving th_ L_v_l of Ordinary Skill

The level of ordinary skills required would seem to embrace some experience with each of the 38 purchasing functions listed in the attached, plus some experience in the relationships of each of these functions to other functions in the system. In addition, would be some experience in dealing with the organizational needs of working for a purchaser and jointly with vendors and banks, and potentials of using elelctronics for these applications.

This combination of requirements when matched against the experience exhibited by the seven inventors as a group, doesn't find satisfaction in reaching a level of ordinary skills necessary to prove obviousness. They represent a service organization instead of the purchaser, Those identified with some form of purchasing, center around use of a catalog electronically, or expediting payments, none deal with consolidating purchasing functions into one document. The Examiner acknowledges no recognition of motive in the person of ordinary skills. One can only conclude that the necessary ordinary skills required are not met.

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Evaluating Objective Evidence of Nonobviousness or Secondary Considerations

The very nature of the Patent system to consider obviousness in the form of prior art envisioned by a non-existent person requires judgment decisions by an Examiner which is subject to human factors, recognizably controversial, with hindsight an unpreventable element..

No patent has been found by the Examiner to match the One Page Purchasing System of the Applicant's.

The resources available to introduce the One Page Purchasing System using electronics have been in existence for at least 15 years.

Seven inventors, identified with their patents filed between 1988-97 as evidence of obviousness have been aware of these resources available, and have not been recognized for any efforts to introduce a one page purchasing system in the interim.

In Business Methods Patents – the basic factual inquiries outlined in Graham,- the questions are raised, "What are the differences between th closest prior art reference and the claims, and where are the individual differences shown in the prior art". 35 U.S.C.103 interprets this for use as a "whole". In the May 1, 2003 Claim Rejections 35 USC 103, pages 6-17. Page 18 Response, states that "One cannot show non obviousness by considering references individually where the rejections are based on combinations of references". Yet on page 19 the Examiner repeats the Applicant's claims word for word as representing the ordinary skill, and continues by "is taught by the combination of cited references." This presents the Applicant with the useless opportunity to find the differences between what the Examiner is repeating from the Applicant's claims, and what the claims contain, which are identical. In building a case for the prior art, in addition to describing the Applicant's claim's as representing the prior art, it cities specific portions of each patent for reference, but upon examination, they are not found to be representative of the Applicant's claims as used by the Examiner, and as indicated above, if they were legitimate descriptions of these patents, they would not be allowed, if individual citations are not accepted for determining difference when the patents selected are placed in groups to identify prior art. Descriptions of the four groups follow this same pattern. These practices prohibits the Applicant from properly preparing responses to these rejections, it shields the Examiner from fairly considering the Applicant's claims, and are protested by the Applicant under this subject heading..

This concludes the Applicant's response to rejections for obviousness, with the hope that it has been adequately addressed and finds non obvious approval.

21

Columns and Lines Referenced in Patents for Claims Comparisons

Claim	Wiecha Col.	Wiecha Lines	Walker Col.	Walker Lines	Thomson Col.	Thomson Lines	Josephson Col.	Josephson Lines	Barn s Col.	Barn s Lines	Johnson Col.	Johnson Lines	Ivanov Col.	Ivanov Lines
17	3	54-61												
17a	2	12-19			2	56-67								
	7	64-65			4	{65								
	8	8-21			5	+								
	7	46-52			16	65								
17b	7	9-16			12	25	6	{66						
	7	40-45					7	5						
	12	39-67					16	24-28						
	13	{26												
	14	{2												
17c	4	52-54												
	6	29-34												
	7	9-16												
	10	4-11												
	10	23-26												
17d							5	44-56						
							6	29-45						
							6	50-58						
							7	61-65						
							6	10-27						
17e													6	25-31
													17	50
													18	21
													25	1-11
													29	66
													30	8
													17	50-51
17f	1	57												
	2	37												
18											18	55-67		
											15	45-49		
19											13	28		
											14	11		
											15	60		
											16	32		
20	7	10-16												
	9	60-63												
	10	38-44												
	10	50-52												
	12	48-51												
	13	9-11												
	15	12-23												

22.